

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT C. POTTS, III,
Petitioner,

v.

WARDEN, USP1 COLEMAN,
Respondent.

Case No. [15-cv-01628-KAW](#) (PR)

ORDER OF TRANSFER

Petitioner Robert C. Potts, III, a federal prisoner incarcerated at the Federal Correctional Complex located in Coleman, Florida, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, challenging the execution of his sentence which was imposed by the United States District Court for the Southern District of Florida.

Review of the execution of a federal sentence is properly brought as a petition under 28 U.S.C. § 2241. *United States v. Giddings*, 740 F.2d 770, 772 (9th Cir. 1984). However, jurisdiction over challenges to physical confinement lies only in the district of confinement. *Rumsfeld v. Padilla*, 542 U.S. 426, 444 (2004). The Federal Correctional Complex in Coleman, Florida, located in Sumter County, is in the jurisdiction of the United States District Court for the Middle District of Florida. Therefore, jurisdiction over this case is in the Middle District of Florida, not in this district.

In the interests of justice, the district court where the petition is filed may transfer the petition to the district which has jurisdiction over the petition. *See* 28 U.S.C. § 1631. Pursuant to 28 U.S.C. § 1631 and in the interest of justice, the Clerk of the Court is ordered to TRANSFER

1 this action forthwith to the district of Petitioner's confinement, i.e., the United States District
2 Court for the Middle District of Florida.

3 All remaining motions are TERMINATED on this Court's docket as no longer pending in
4 this Court.

5 IT IS SO ORDERED.

6 Dated: May 14, 2015



7 KANDIS A. WESTMORE
8 UNITED STATES MAGISTRATE JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28